

**IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF WEST
VIRGINIA**

CHESTER CALHOUN,

Plaintiff,

v.

**Civil Action No. 2:21-cv-00455
Honorable Irene Berger**

**FELD ENTERTAINMENT, INC.; and
JOHN DOE a/k/a "MAUI" from MOANA,**

Defendants.

**ORDER APPROVING JOINT STIPULATION FOR
SUBSTITUTION OF RINGLING BROS. – BARNUM & BAILEY
COMBINED SHOWS, INC. FOR DEFENDANT FELD ENTERTAINMENT, INC.**

Before this Court is Plaintiff Chester Calhoun's and Defendant Feld Entertainment, Inc.'s *Joint Stipulation for Substitution of Ringling Bros. – Barnum & Bailey Combined Shows, Inc. for Defendant Feld Entertainment, Inc.* Having considered the contents therein, the Court finds as follows:

1. It is agreed upon by the parties that Ringling Bros. – Barnum & Bailey Combined Shows, Inc. is a subsidiary of Feld Entertainment, Inc., and is the entity responsible for producing Disney On Ice, the event at which Plaintiff has alleged he was injured.

2. It is agreed upon by the parties that Ringling Bros. – Barnum & Bailey Combined Shows, Inc. is the proper entity against which Plaintiff should bring suit.

3. It is agreed upon by the parties that substituting Ringling Bros. – Barnum & Bailey Combined Shows, Inc. as a defendant in the above-styled civil action instead of Feld Entertainment, Inc. will result in no prejudice to any party.


4. And finally, it is agreed upon by the parties that to the extent that Plaintiff later moves

to add Feld Entertainment, Inc. as a party defendant, Feld Entertainment, Inc. agrees not to object to the same on the basis of timeliness and agrees that any amendment will relate back to the date of the original filing of the Complaint in this matter. Feld Entertainment, Inc. reserves all other defenses to any potential motion or claim.

Accordingly, this Court hereby **GRANTS** the joint request of the parties and hereby **ORDERS** that Ringling Bros. – Barnum & Bailey Combined Shows, Inc. be substituted as a defendant in place of Feld Entertainment, Inc. in the above-styled civil action. This Court further **ORDERS** that all prior filings made by Feld Entertainment, Inc. shall be considered filings of Ringling Bros. – Barnum & Bailey Combined Shows, Inc.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and to any unrepresented party.

ENTER: December 29, 2021


IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA

Prepared by:

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